

**Vermont Agency of Natural Resources
Department of Environmental Conservation**

Stream Alteration General Permit

Applicability: The subject of this General Permit is Stream Alterations which involve the fill or excavation of 10 cubic yards or more within the top-of-bank to top-of-bank, cross-sectional limits of perennial streams.

A. Introduction

The Secretary of the Vermont Agency of Natural Resources is issuing this general permit pursuant to 10 V.S.A. §7501 for stream alteration activities. The purpose of this general permit is to ensure that all stream alteration activities are regulated efficiently and effectively in accordance with the requirements of 10 V.S.A. Chapter 41. The Secretary reserves the right to require an individual permit for any project if deemed necessary by the Secretary pursuant to Part E.3.10. of this general permit.

Should any project proponent be uncertain with regard to the interpretation, application, or compliance with the provisions of this General Permit, he/she should engage the services of a qualified consultant or contact a Department of Environmental Conservation River Management Engineer. Contact information is at: <http://www.anr.state.vt.us/dec/waterq/rivers/htm/rvcontact.htm>.

B. Definitions

All definitions contained in 10 V.S.A. §1002 shall apply to this general permit and are incorporated herein by reference. In addition, the following definitions shall apply to this general permit:

“Activity” means a stream alteration and any associated discharges.

“Agency” means the Vermont Agency of Natural Resources.

“Bridge” means a single span bridge or arch structure with substructure elements consisting of two abutments or footings located on or in the streambank and does not include multi span structures, box culverts, pipe arches or other buried structures.

“Department” means the Vermont Department of Environmental Conservation within the Agency.

“Equilibrium Standard” means the activity does not change the physical integrity of the stream in a manner which departs from, further departs from, or impedes the attainment of the channel width, depth, meander pattern, and longitudinal slope associated with natural equilibrium conditions. Equilibrium conditions occur when water flow, sediment, and woody debris are transported by the stream channel in such a manner that the stream maintains its dimension, general pattern, and slope without unnaturally aggrading (raising) or degrading (lowering) the channel bed elevation¹. The requirements of 10 VSA §1023(a) are met through attainment and maintenance of equilibrium conditions.

¹ Technical guidance for evaluating equilibrium conditions is available at:
http://www.anr.state.vt.us/dec/waterq/rivers/htm/rv_management.htm.

“Perennial stream” means, for the purposes of administering this general permit, a watercourse or portion, segment, or reach of a watercourse, generally exceeding 0.5 square miles in watershed size, in which surface flows are not frequently or consistently interrupted during normal seasonal low flow periods. All other streams, or stream segments of significant length, shall be considered and termed intermittent. Streams with watershed areas less than 0.5 square miles may be determined in the field as perennial streams. Human caused interruptions of flow (e.g. flow fluctuations associated with hydroelectric facility operations or water withdrawals) shall not influence the Secretary’s determination of a perennial stream, for purposes of this general permit. A perennial stream shall not include the standing waters in wetlands, lakes, and ponds. For purposes of this general permit, the exclusion of “ditches or other constructed channels primarily associated with land drainage or water conveyance” from the definition of “watercourse” in 10 V.S.A. §1002(10), shall not be interpreted to include perennial streams that have been excavated and re-formed into a straightened, channelized condition. Additional technical guidance, including town-based maps, for the evaluation and identification of perennial streams is available at:
http://www.anr.state.vt.us/dec/waterq/rivers/htm/rv_management.htm.

“Secretary” means the Secretary of the Vermont Agency of Natural Resources.

C. Coverage

C.1. Exempt Activities

This Part describes certain stream alteration activities that are considered “exempt” activities that do not require coverage under this general permit. Project exemption from coverage under this general permit does not relieve any person of the responsibility to comply with any and all other applicable federal, state, and local laws, regulations, and permits, and to obtain landowner permission if working on the lands of others.

The following stream alteration activities are statutorily exempt activities that do not require coverage under this general permit (as indicated in the Activities Table, page 11):

- C.1.1. Emergency protective measures necessary to preserve life or to prevent severe imminent damage to public or private property, or both; provided:
 - a) The protective measures shall be limited to the minimum amount necessary to remove imminent threats to life or property; and
 - b) Shall have prior approval from a member of the municipal legislative body; and
 - c) Shall be reported to the Secretary by the legislative body within 72 hours after the onset of the emergency;
- C.1.2. Projects involving less than 10 cubic yards of fill or excavation within the limits of the watercourse (Note: this provision includes debris removal provided any associated earthwork volume is less than 10 cubic yards);
- C.1.3. Removal of up to 50 cubic yards of gravel per year from that portion of a watercourse running through or bordering on the owner's property, provided:
 - a) The material shall be removed only for the owner's use on the owner's property; and

- b) The material removed shall be above the waterline (note: only material from the unvegetated portion of an exposed sand or gravel deposit shall be removed); and
- c) At least 72 hours prior to the removal of 10 cubic yards, or more, the landowner shall notify the Secretary; and
- d) If the portion of the watercourse in question has been designated as outstanding resource waters, then the riparian owner may so remove no more than 10 cubic yards of gravel per year, and must notify the Secretary at least 72 hours prior to the removal of any gravel;

C.1.4. Dam related projects subject to 10 V.S.A. Chapter 43;

C.1.5. Highways or bridges subject to 19 V.S.A. §10(12) (note: this applies only to state transportation infrastructure projects);

C.1.6. Accepted agricultural or silvicultural practices, as defined by the secretary of agriculture, food and markets, or the commissioner of forests, parks and recreation, respectively;

C.1.7. Hand panning prospecting techniques;

C.1.8. Energy-related projects regulated under the authority of 30 V.S.A. §248; and

C.1.9. Projects in intermittent streams (see definition of Perennial Stream above in Section B).

C.2. Activities Eligible for Coverage

C.2.1. Non-Reporting Activities – Unless specified otherwise in this general permit, activities listed in C.2.1.1 through C.2.1.9 below, that are conducted in accordance with the activity-specific requirements set forth in this general permit, and are not located in a designated Outstanding Resource Water, will meet the requirements of 10 VSA §1023(a) and may proceed without notification to the Secretary, regardless of watershed size (and as indicated in the Activities Table, page 11).

The Secretary may, upon review, determine an individual activity, that does not fall under the types of activities and compliance criteria listed in C.2.1.2 through C.2.1.9, to be a de minimus activity consistent with the requirements of 10 VSA §1023(a); which may then proceed as a Non-Reporting Activity.

10 VSA §1023(a) requires that an activity:

- (1) will not adversely affect the public safety by increasing flood hazards;
- (2) will not significantly damage fish life or wildlife;
- (3) will not significantly damage the rights of riparian owners; and
- (4) in the case of any waters designated by the board as outstanding resource waters, will not adversely affect the values sought to be protected by designation.

Non-Reporting Activities must be conducted in a manner which minimizes or avoids any discharge of sediment or other pollutants to surface waters in violation of the VT Water Quality Standards (Note: all reasonable means to avoid discharges must be taken during trout spawning periods before July 1 and after October 1).

C.2.1.1. Activities other than those activities listed under C.2.1.2 through C.2.1.9. provided:

- a) The activity is conducted where the drainage area of the upstream watershed is less than 1.0 square miles; and
- b) The activity is consistent with and supports the Equilibrium Standard.

C.2.1.2. Directionally bored utility crossings involving no earthwork within the watercourse.

C.2.1.3. Municipal dry hydrants provided the intake is installed within 50 linear feet of a municipal bridge or culvert.

C.2.1.4. Repair or replacement of existing bridges provided:

- a) Scour protection or erosion treatments do not reduce the channel cross section dimensions and cross sectional area; and
- b) There is no channel realignment; and
- c) There is no roadway realignment ; and
- d) The repaired or replacement structure provides a span length 1.2X bank full width² or greater at the streambed elevation; and
- e) The repaired or replacement structure provides a Q25 headwater depth + one (1) foot that is no higher than the elevation of the lowest superstructure element; and
- f) Any temporary structure for traffic maintenance during construction provides a span length 1.0X bank full width or greater.

C.2.1.5. New private temporary or permanent stream crossing structures of any type or replacement of existing culverts provided:

- a) The structure span length at the streambed elevation is no less than 1.2X bank full width; and
- b) The Q25 headwater depth+ one (1) foot is no higher than the elevation of the lowest superstructure element of a bridge or the top of the inlet opening of a buried structure; and
- c) The structure shall not obstruct the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area. To meet this provision of the General Permit and to qualify as a Non-Reporting Activity, the project shall be designed, in consideration of current and future conditions, such that the stream will naturally and permanently retain, through the structure, the substrate composition, bedforms, vertical profile, horizontal alignment, and flow velocities, turbulence, and depth similar to adjacent stream reaches. Technical guidance for designing stream crossings for aquatic organism passage can be found at:
http://www.vtfishandwildlife.com/fisheries_AOP.cfm; and
- d) Minimal earthwork is required to construct roadway approaches to the crossing; and
- e) Stream alignment at and upstream of the structure is relatively straight; and
- f) No significant stream bank erosion, streambed degradation or other indicators of active lateral or vertical adjustment of the channel is present; and

² Technical guidance for determining the bankfull width of a stream may be found at:
http://www.anr.state.vt.us/dec/waterq/rivers/htm/rv_management.htm.

- g) If the proposed project is located in a Flood Hazard Area as designated in the municipal Flood Hazard Area regulations, prior to construction, a municipal zoning permit is obtained in compliance with such regulations.
- C.2.1.6. Projects fully or partially funded through FEMA Public Assistance, Hazard Mitigation Assistance, USDA Emergency Watershed Protection, or Better Back Roads programs that have been technically reviewed and endorsed by the Secretary.
- C.2.1.7. Fluvial geomorphic, channel, flood plain, and aquatic habitat restoration projects that have been technically reviewed and endorsed by the Secretary.
- C.2.1.8. At-grade fords provided:
- a) The ford is properly stabilized with clean stone fill; and
 - b) There is no change in existing channel cross-section and bed elevation except for minor bank grading at the point of the crossing.
- C.2.1.9. Maintenance of existing channelized perennial streams less than 0.5 square miles of watershed size, i.e. those through and around roadsides and agricultural fields, and streams diverted for water supply purposes, provided:
- a) The maintenance work is conducted in a manner which minimizes or avoids any discharge of sediment or other pollutants to surface waters; and
 - b) If the work is in association with agricultural lands, vegetated buffers as required under applicable Accepted Agricultural Practices (AAPs), Medium or Large Farm Operation Permits, and/or other applicable rules are maintained; and
 - c) Erosional channels are appropriately stabilized with vegetative and/or structural treatments; and
 - d) Excavated sediments are disposed appropriately; and
 - e) Project improvements that move toward attainment of the Equilibrium Standard are implemented wherever feasible.

If the project is not covered under C.2.1 above, the Secretary should be notified in accordance with C.2.2.below.

Any person who may be unfamiliar with or unable to ensure their activity will be in compliance with the Equilibrium Standard, or meets the activity-specific criteria in C.2.1.1. – C.2.1.9., should contact an Agency River Management Engineer. Contact information is at: <http://www.anr.state.vt.us/dec/waterq/rivers/htm/rvcontact.htm>. Failure to comply with the Equilibrium Standard in accordance with the requirements of this general permit may be cause for an enforcement action.

For any stream alteration activity authorized according to the non-reporting provisions of this General Permit, the Secretary waives 401 Water Quality Certification. This does not constitute a waiver of 401 Certifications that might be required under other applicable permit programs.

C.2.2. Reporting Activities that Require an Application – It is recommended that persons considering project proposals that may fall within the category of Reporting Activities described in this Section C.2.2. contact a Agency River Management Engineer to determine whether the project may be considered a non-reporting activity under C.2.1. above. See: http://www.anr.state.vt.us/dec/waterq/rivers/htm/rv_contact.htm

An application for an authorization under this general permit shall be submitted for the following categories of activities (as indicated in the Activities Table, page 11):

C.2.2.1. Activities in perennial streams with watershed areas less than 10.0 square miles:

- a) In a designated Outstanding Resource Water; **or**
- b) Do not meet the equilibrium standard in C.2.1.1; **or**
- c) Do not meet the activity-specific requirements in C.2.1.2. through C.2.1.8;

C.2.2.2. Maintenance of existing channelized perennial streams, i.e., those through and around roadsides and agricultural fields, and streams diverted for water supply purposes; with watershed areas:

- a) Less than 0.5 square miles, that does not meet the criteria specified in C.2.1.9.
- b) 0.5 square miles or greater, but less than 10.0 square miles, regardless of whether the criteria specified in C.2.1.9. are met; and

C.2.2.3. Any other Non-Exempt Activity on a stream with a watershed area 1.0 square miles or greater, but less than 10.0 square miles (see C.1. above for a list of Statutorily Exempt Activities). An example under this provision would be an activity meeting the equilibrium standard but not listed in C.2.1.2. – C.2.1.9. and is located on a perennial stream with a one to ten square mile watershed area.

C.2.3. Application Requirements for Reporting Activities – Prior to the initiation of any activity requiring authorization under this general permit, an application for authorization shall be submitted on a form provided by the Secretary and shall consist of, at a minimum:

- a) A location map, with a written description of the proposed project, landowner (required), and contractor(s) (if known) with contact information;
- b) A plan view, longitudinal profile, and at least one typical cross section; with
- c) Each drawing (not necessarily to scale) depicting both existing and proposed conditions; and
- d) A reporting fee (if required) if the project is located where the watershed size is greater than 1.0 square miles. See the reporting activity application form for information regarding the applicable application fee.

The applicant shall provide notice, on a form provided by the Secretary, to the clerk of the municipality in which the activity is located, to the local and regional planning commissions, and to the owners of land adjoining the site of the proposed activity. The applicant shall certify, on the notification form, that such notifications have been made and shall provide a copy to the Secretary. The Stream Alteration Reporting Activity application form is available at: www.vtwaterquality.org/rivers, or contact a River Management Engineer. See: http://www.anr.state.vt.us/dec/waterq/rivers/htm/rv_contact.htm. The Secretary may, upon review, require submittal of additional information necessary to evaluate the proposed activity and application.

C.2.4. Review of Application and Public Comment Period – Following receipt of confirmation by the applicant that notice of the application has been provided, as required under 10 VSA, §7503(b), the Secretary shall provide an opportunity of at least ten (10) working days for written comment regarding whether the application complies with the terms and conditions of this general permit. After consideration of the application and public comment and any other relevant information, the Secretary may grant an application for authorization under this general permit if:

C.2.4.1. The application is deemed complete;

C.2.4.2. The required notice of the application has been provided

C.2.4.3. The activity is eligible for coverage under the General Permit by being:

- a) In compliance with the requirements of 10 V.S.A. §1023; and
- b) Consistent with Section C.2.1.5. (c) above relating to aquatic organism passage; and
- c) Conducted in a manner which minimizes or avoids any discharge of sediment or other pollutants to surface waters in violation of the VT Water Quality Standards (Note: all reasonable means to avoid discharges should be taken during trout spawning periods before July 1 and after October 1).

A request for additional information will constitute a response from the Secretary. If, after amendment of an application, authorization by the Secretary is not possible, the applicant may submit an application for an individual permit.

D. Individual Stream Alteration Permits

An individual stream alteration permit shall be required for any activity that is:

- a) Not a statutorily Exempt Activity (as listed in C.1 above);
- b) Conducted in a stream with a watershed area of 10 square miles or greater; and
- c) Not otherwise authorized as a non-reporting activity in C.2.1.2. through C.2.1.8

An individual permit shall also be required for any project, if deemed necessary by the Secretary, pursuant to Part E.3.10. of this general permit.

The Secretary may, upon review, determine any application for an individual permit to constitute a de minimus activity consistent with the requirements of 10 VSA §1023(a); which may then proceed as a Non-Reporting Activity.

An individual permit application is available through an Agency River Management Engineer, or at: http://www.anr.state.vt.us/dec/waterq/rivers/docs/rv_streamalt-application.pdf.

E. General Conditions

E.3.1. Access to Property - By acceptance of an authorization under this General Permit, the permittee agrees to allow Agency representatives access to the property covered by the authorization, at reasonable times and upon presentation of credentials, for the purpose of ascertaining compliance with the authorization and this general permit.

E.3.2. Authorization for substantial Changes - All activity shall be completed and maintained in accordance with the terms and conditions of this general permit and any authorizations issued. No material or substantial changes shall be made in the project without the written approval of the Secretary.

E.3.3. Remedial Measures - The Secretary maintains continuing jurisdiction over an activity authorized under this general permit and may at any time order remedial measures if it appears the Equilibrium Standard is not being met (where applicable) or the activity is not in compliance with this general permit or an authorization to discharge issued under this general permit.

E.3.4. Compliance with other Regulations - Authorization under this general permit does not relieve the permittee of the responsibility to comply with any other applicable federal, state, and local laws, regulations, and permits.

E.3.5. Legal Responsibilities for Damages - The Secretary, by issuing this general permit and any authorization hereunder, accepts no legal responsibility for any damage direct or indirect of whatever nature and by whom ever suffered arising out of the approved activity.

E.3.6. Revocation - The Secretary may, after notice and opportunity for a hearing, revoke or suspend, in whole or in part, an authorization under this general permit for cause, including, but not limited to:

- a) Violation of the terms or conditions of this general permit;
- b) Obtaining authorization by misrepresentation or failure to fully disclose all relevant facts;
- c) A change in any condition that requires either a temporary or permanent reduction or elimination of the authorized activity.

E.3.7. Changes to Authorized Activity - A permittee shall notify the Secretary of any planned changes to the authorized activity. The Secretary may require the permittee to submit additional information on any proposed changes. The Secretary will notify the permittee if, based on the proposed changes to the authorized activity, a revised application for an individual permit must be submitted.

E.3.8. Duty to Comply - The permittee shall comply with all terms and conditions of this general permit and all authorizations for activities issued hereunder. Any permit noncompliance constitutes a violation of 10 V.S.A. Chapter 41 and may be cause for an enforcement action and/or revocation and reissuance, modification or termination of the permittee's authorization under this general permit.

E.3.9. Continuation of Expired General Permit - If this permit is not reissued or replaced prior to its expiration date, but the Department makes a determination that it will be renewed, this permit will be administratively continued and remains in full force and effect. Any permittee that was granted permit coverage prior to the expiration date will automatically remain covered by the continued permit until the earliest of the following:

- a) Reissuance or replacement of this permit, at which time the permittee must comply with the conditions of the new permit to maintain authorization for the activity; or
- b) Issuance of an individual permit for the designated activity; or

- c) A formal permit decision by the Secretary not to reissue this general permit, at which time the permittee must seek coverage under an alternative general permit or an individual permit.

E.3.10. Requiring an Individual Permit - The Secretary may require any applicant for or permittee authorized under this general permit to apply for an individual permit. The Secretary may require an individual permit if any one of the following applies:

- a). The activity may result in significant departure from stream equilibrium conditions, may not meet the requirements of 10 V.S.A. §1023a), or may become a significant contributor of pollution as determined by consideration of each of the following factors:
 - i. the current physical condition of the stream within which the activity would occur;
 - ii. the size and scope of the applicant's or permittee's activities or operation;
 - iii. the quantity and nature of the activity and
 - iv. other relevant factors.
- b) The permittee is not in compliance with the terms and conditions of this general permit.
- c) The application does not qualify for coverage under this general permit.
- d) A change has occurred in the availability of demonstrated technology or practices for the activity
- e) Federal requirements have been adopted that conflict with one or more provisions of this general permit.

If the Secretary finds that a permittee authorized by this general permit is required to apply for an individual permit, the Secretary shall so notify the permittee. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a time for the permittee to file the application, and a statement that on the effective date of the individual permit this general permit, as it applied to the individual permittee, shall automatically terminate. The Secretary may grant additional time upon request of the applicant.

E.3.11. Requiring Coverage under this General Permit - The Secretary may require that an activity for which issuance or reissuance of an individual permit is sought be subject to this general permit if the Secretary finds that the activity is eligible for coverage under and will meet the terms and conditions of this general permit and that the authorization under this general permit will protect public safety and the environment and meet the requirements of 10 V.S.A. Chapter 41.

E.3.12. Transfer of Authorization to Discharge - An authorization for an activity under this general permit may be transferred provided that a notice of transfer is submitted to the Secretary no later than thirty (30) days after the transfer and the notice includes the following:

- a) The name and address of the present permittee;
- b) The name and address of the prospective permittee;
- c) The proposed date of transfer; and
- d) A statement signed by the prospective permittee, stating that:
 - i. The conditions that contribute to, or affect, any authorized activity will not be materially different under the new ownership; and
 - ii. He/she has read and is familiar with the terms of the general permit and agrees to comply with all the terms and conditions of the general permit.

E.3.13. Modification of this General Permit - After notice and opportunity for a public meeting, this permit may be modified in accordance with 10 V.S.A. Chapter 165.

E.3.14. Limitations - This general permit conveys no vested rights or exclusive privileges. The general permit conveys no title to land nor authorizes any injury to public or private property. The general permit does not authorize infringement of any applicable federal, state or local laws or regulations nor obviate the necessity of obtaining such additional permits as may be required.

E.3.15. Reopener Clause - If, after granting authorization to discharge under this general permit, the Secretary determines, in his or her discretion, that there is evidence indicating that an authorized activity does not comply with the requirements of 10 V.S.A. Chapter 41, the Secretary may require the permittee to obtain an individual permit, or the Secretary may modify authorization for the activity to include different limitations and/or requirements.

E.3.16. Violation of Permit Requirements; Enforcement - A permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of 10 V.S.A. Chapter 41 and may be grounds for an enforcement action, or suspension or revocation of the permittee's authorization for an activity under this permit.

F. Appeals

Renewable Energy Projects – Right to Appeal to Public Service Board

If this decision relates to a renewable energy plant for which a certificate of public good is required under 30 V.S.A. §248, any appeal of this decision must be filed with the Vermont Public Service Board pursuant to 10 V.S.A. §8506. This section does not apply to a facility that is subject to 10 V.S.A. §1004 (dams before the Federal Energy Regulatory Commission), 10 V.S.A. §1006 (certification of hydroelectric projects) or 10 V.S.A. Chapter 43 (dams). Any appeal under this section must be filed with the Clerk of the Public Service Board within 30 days of the date of this decision; the appellant must file with the Clerk an original and six copies of its appeal. The appellant shall provide notice of the filing of an appeal in accordance with 10 V.S.A. 8504(c)(2), and shall also serve a copy of the Notice of Appeal on the Vermont Department of Public Service. For further information, see the Rules and General Orders of the Public Service Board, available on line at www.psb.vermont.gov. The address for the Public Service Board is 112 State Street, Montpelier, Vermont, 05620-2701 (Tel. # 802-828-2358).

All Other Projects – Right to Appeal to Environmental Court

Pursuant to 10 V.S.A. Chapter 220, any appeal of this decision must be filed with the clerk of the Environmental Court within 30 days of the date of the decision. The Notice of Appeal must specify the parties taking the appeal and the statutory provision under which each party claims party status; must designate the act or decision appealed from; must name the Environmental Court; and must be signed by the appellant or their attorney. In addition, the appeal must give the address or location and description of the property, project or facility with which the appeal is concerned and the name of the applicant or any permit involved in the appeal. The appellant must also serve a copy of the Notice of Appeal in accordance with Rule 5(b)(4)(B) of the Vermont Rules for Environmental Court Proceedings. For further information, see the Vermont Rules for Environmental Court Proceedings, available on line at www.vermontjudiciary.org. The address for the Environmental Court is 2418 Airport Road, Suite 1, Barre, VT 05641 (Tel. # 802-828-1660).

Activity Table for Stream Alteration General Permit

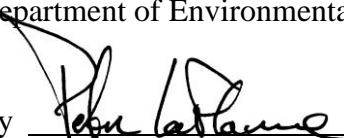
	May be Intermittent	Most Likely Perennial		
DA / square miles	< 0.5 square miles	> 0.5 and < 1.0 square miles	> 1.0 and < 10.0 square miles	> 10.0 square miles
Exempt Activities Section C.1.	C.1.1. Emergency protective measures necessary to preserve life or to prevent severe imminent damage to public or private property; C.1.2. Projects involving less than 10 cubic yards of fill or excavation within the limits of the watercourse; C.1.3. Removal of up to 50 cubic yards of gravel per year; C.1.4. Dam related projects subject to 10 V.S.A. Chapter 43; C.1.5. Highways or bridges subject to 19 V.S.A. §10(12); C.1.6. Accepted agricultural or silvicultural practices; C.1.7. Hand panning prospecting techniques; C.1.8. Energy projects subject to 10 V.S.A. §248; and C.1.9. Projects in intermittent streams.			
Non-Reporting Activities Section C.2.1.	C.2.1.9. Maintenance of <u>existing</u> channelized perennial streams through and around roadsides and agricultural fields, and streams diverted for water supply purposes that meets criteria.			
	C.2.1.1. Activities that are consistent with and support the Equilibrium Standard; i.e., the activity does not change the physical integrity of the stream in a manner which departs from, further departs from, or impedes the attainment of the channel width, depth, meander pattern, and longitudinal slope associated with natural equilibrium conditions.			
	C.2.1.2 Directionally bored utility crossings involving no earthwork in the watercourse; C.2.1.3. Municipal dry hydrants within 50 linear feet of a municipal bridge or culvert; C.2.1.4. Repair or replacement of existing bridges meeting certain design criteria; C.2.1.5. New private stream crossing structures, or replacement of existing culverts (non-bridge structures) meeting certain design criteria; C.2.1.6. State and federal grant program projects technically reviewed and endorsed by ANR; C.2.1.7. Restoration projects technically reviewed and endorsed by ANR; and C.2.1.8. At-grade fords meeting certain design criteria.			
Reporting Activities Section C.2.2.	C.2.2.1. Any activity in a designated ORW; <u>or</u> any activity listed above that: cannot meet the equilibrium standard in C.2.1.1; <u>or</u> cannot meet the activity-specific criteria in C.2.1.2. through C.2.1.8.			
	C.2.2.2. Maintenance of <u>existing</u> channelized perennial streams through and around roadsides and agricultural fields, and streams diverted for water supply purposes that does NOT meet criteria in C.2.1.9.	C.2.2.2. Maintenance of <u>existing</u> channelized perennial streams through and around roadsides and agricultural fields, and streams diverted for water supply purposes.		
			C.2.2.3. All other non-exempt activities, not specifically addressed in C.2.2.1 and C.2.2.2.	
Individually Permitted Activities Section D				Activities that are not statutorily exempt or authorized as non-reporting in C.2.1.2. through C.2.1.8.

G. Term

This permit is valid upon signing and shall remain in effect for five years from the date of signing.

Dated at Waterbury, Vermont this 18th day of April, 2011

David Mears, Commissioner
Department of Environmental Conservation

By  _____
Peter LaFlamme, Director
Water Quality Division